

BETTER MEDICARE

ALLIANCE

April 15, 2021

The Honorable Catherine Cortez Masto
516 Hart Senate Office Building
Washington, DC 20510

The Honorable Tim Scott
104 Hart Senate Office Building
Washington, DC 20510

The Honorable Terri Sewell
2201 Rayburn House Office Building
Washington, DC 20515

The Honorable Gus Bilirakis
2354 Rayburn House Office Building
Washington, DC 20515

Dear Senators Cortez Masto and Scott and Representatives Sewell and Bilirakis:

We are writing in support of S. 150 and H.R. 2166 the *Ensuring Parity in MA for Audio-Only Telehealth Act*. We appreciate all the actions already taken to ensure that Medicare Advantage organizations and providers can meet the needs of over 26 million Medicare Advantage beneficiaries during the global COVID-19 pandemic, especially in the area of telehealth.

As you know, the public health emergency and stay at home orders have led to a nationwide delay of in-person clinical care and elective services. While providers and Medicare Advantage organizations are working together to provide needed care and reduce the impact of this pandemic on Medicare's vulnerable population, utilization of in-person care and services remains low. The University of Michigan's National Poll on Healthy Aging recently found that 46% of respondents indicated their in-person appointments were canceled or rescheduled to telehealth visits by their health care provider. The use of telehealth visits has contributed meaningfully to meeting patients' needs by allowing Medicare Advantage organizations and providers to engage beneficiaries and substitute in-person visits – ensuring that those with acute medical concerns and those with ongoing chronic conditions are able to interact with their providers to manage their health.

Medicare Advantage is unique in requiring accurate health assessment of each beneficiary every year to determine their health conditions and ensure that risk adjusted payments are accurate and reflect a beneficiary's current diagnoses and conditions. The Centers for Medicare and Medicaid Services (CMS) has already taken action to permit using data obtained during audio-video telehealth visits to inform diagnoses for risk assessment, however, they are denying the use of audio-only telehealth visits for risk assessment purposes. This same limitation also applies to Programs of All-Inclusive Care for the Elderly (PACE). The data obtained through audio-only telehealth visits is necessary for accurate calculation of the following year's benchmarks in Medicare Advantage, without which it will be difficult to keep out-of-pocket costs low for beneficiaries and meet expectations for use of supplemental benefits.

S. 150 and H.R. 2166, the *Ensuring Parity in MA for Audio-Only Telehealth Act*, will address this gap and allow the use of diagnoses obtained by audio-only telehealth visits for risk assessment by Medicare Advantage organizations. H.R. 2166 also allows these types of visits for PACE organizations. Allowing the use of this data will ensure that clinically accurate data on patients obtained during audio-only telehealth visits will be available during this public health emergency to fulfill Medicare Advantage and PACE requirements. It is essential that the collection of diagnoses required for risk adjustment be as complete and as accurate as possible. Action by Congress now will help avoid disruption and provide relief necessary for Medicare Advantage and PACE organization, allowing them to continue to provide high quality, affordable care to millions of Medicare

beneficiaries.

Thank you again for your leadership and your continued support of Medicare Advantage and PACE beneficiaries. We look forward to continuing to engage with you and others as this legislation moves forward and as the public health emergency evolves.

Sincerely,

Ascension

Association for Community Affiliated Plans

American Occupational Therapy Association

American Physical Therapy Association

Austin Regional Clinic

Better Medicare Alliance

CareMax

ConcertoCare

Consumer Action

Direct Primary Care Coalition

Global Alzheimer's Platform Foundation

Harvard Pilgrim Health Care

Health Innovation Alliance

Healthcare Leadership Council

LeadingAge

Medicare Consulting

MediGold

National Adult Day Services Association

National Association of Health Underwriters

National Association of Nutrition and Aging Services Programs

Northwell Health

OPN Healthcare

Partners in Care Foundation

Philadelphia Corporation for Aging

SCAN Health plan

SummaCare

Teachers' Retirement System of Kentucky

The SNP Alliance

Tivity Health

Tufts Health Plan

U.S. Chamber of Commerce

University of Pittsburgh Medical Center Health Plan

Visiting Nurse Associations of America

Visiting Nurse Service of New York